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H.B. No. 628

A BILL TO BE ENTITLED

AN ACT

relating to the right of a member of the board of trustees of a
school district to obtain information, documents, and records.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 11.1512, Education Code, is amended by
adding Subsections (c), (d), (e), and (f) to read as follows:

(c) A member of the board of trustees of the district, when
acting in the member's official capacity, has an inherent right of
access to information, documents, and records maintained by the
district, and the district shall provide the information,
documents, and records to the member without requiring the member
to submit a public information request under Chapter 552,
Government Code. The district shall provide the information,
documents, and records to the member without regard to whether the
requested items are the subject of or relate to an item listed on an
agenda for an upcoming meeting. The district may withhold or redact
information, a document, or a record requested by a member of the
board to the extent that the item is excepted from disclosure or is
confidential under Chapter 552, Government Code, or other law.
This subsection does not require the district to provide
information, documents, and records that are not subject to
disclosure under the Family Educational Rights and Privacy Act of
1974 (20 U.S.C. Section 1232g).

(d) A school district shall post, in a place convenient to

1 the public, the cost of responding to one or more requests submitted
2 by a member of the board of trustees of the district under
3 Subsection (c) if the requests are for 200 or more pages of material
4 in a 90-day period.

5 (e) The district shall report annually to the Texas
6 Education Agency not later than September 1 of each year:

7 (1) the number of requests submitted by a member of the
8 board of trustees of the district under Subsection (c) during the
9 preceding school year; and

10 (2) the total cost to the district for that school year
11 of responding to requests under Subsection (c).

12 (f) In this section, "official capacity" means all duties of
13 office and includes administrative decisions or actions.

14 SECTION 2. This Act takes effect September 1, 2013.